

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEONARD RAY BASS

Defendant.

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CRIMINAL ACTION NO. 4:07-CR-108-
ALM

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Now before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on April 19, 2016, to determine whether Defendant violated his supervised release. Defendant was represented by Denise Benson. The Government was represented by Glenn Roque-Jackson.

On January 9, 2008, Defendant was sentenced by the Honorable United States District Judge Michael H. Schneider of the Eastern District of Texas after pleading guilty to the offense of Bank Robbery. Defendant was sentenced to sixty eight (68) months imprisonment concurrent with time ordered in Collin County, Texas case number 219-80869-07, followed by a three (3) year term of supervised release subject to the standard conditions of release plus special conditions to include financial disclosure, restricted credit, and drug treatment and testing. Additionally, he was ordered to pay restitution in the amount of \$54,213.00.

On December 24, 2012, Defendant completed his period of imprisonment and began service of his term of supervised release. On June 25, 2015, this case was reassigned to United States District Judge Amos Mazzant.

On July 7, 2015, the U.S. Probation Officer executed a Petition for Warrant or Summons for Offender Under Supervision [Dkt. 65 Sealed]. The Petition asserted that Defendant violated one (1) condition of supervision, as follows: (1) Defendant shall not commit another federal, state, or local crime.

The Petition alleges that Defendant committed the following act: (1) On June 18, 2015, the Defendant was arrested by the Collin County Sheriff's Office and charged with Bank Robbery in violation of Texas Penal Code §29.02. Defendant was subsequently charged federally in cause number 4:15CR172 and has been recently sentenced in that case to seventy-two (72) months imprisonment, a \$100 special assessment and \$2,784.000 of restitution payable to Independent Bank, and a term of supervised release to following of three (3) years with standard conditions of release and also other special conditions of release.

Prior to the Government putting on its case, Defendant entered a plea of true to the allegation against him. Having considered the Petition and the plea of true to the allegation, the Court finds that Defendant did violate his conditions of supervised release.

Defendant waived his right to allocate before the District Judge and his right to object to the report and recommendation of this Court.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant's supervised release be revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for a term of fourteen (14) months, with twenty-one (21) months of supervised

release to follow. This imposed sentence shall run concurrent with the sentence imposed in cause number 4:15CR172. All standard and special conditions on supervised release are to be reimposed.

The Court also recommends that Defendant be housed in the Bureau of Prisons North Texas region, if appropriate.

SIGNED this 20th day of April, 2016.

A handwritten signature in black ink, appearing to read 'C.A. Nowak', written over a horizontal line.

Christine A. Nowak
UNITED STATES MAGISTRATE JUDGE